

**REMARKS**

Claims 1-18 are pending and claims 19-23 are newly added. Claims 7, 14, 16 and 18 have been amended to address a minor typographical error. Claims 1-18 are rejected.

**35 U.S.C. § 102(b)**

Claims 1-18 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Sigler et al. (U.S. Patent No. 5,717,830). Applicant respectfully traverses the rejection.

Claim 1 broadly recites a method for arbitrating between a first communication device having floor control in a group communication network and a second communication device competing for floor control. A floor-control request is received from the second communication device. The respective priority levels of the first communication device and the second communication device are compared. Floor control is then granted to the second communication device, if the second device has a higher or equal priority level. Applicant respectfully submits that Sigler et al. fails to teach or suggest at least the features of comparing the respective priority levels of the first and second communication devices.

Sigler et al. discloses a satellite radio service system. Col. 26, lines 5-34 of Sigler et al. describe priority one default operations and this portion of the patent is quoted below.

When the MET user initiates Priority One Default service via the Priority One button, the MET expediently performs the following actions:

The MET tunes to the GC-S channel and sends a NRACR.sub.-- SU with the Priority One code appended on the corresponding MET.sub.-- SR channel.

The MET retrieves the NET ID included in the NRACR.sub.-- SU from a NVRAM location specifically tagged by the MET user for this situation.

Upon receipt of the NRACR.sub.-- SU, the GC follows the call setup procedures as for MET originated Net Radio Calls. The GC rebroadcasts the NRCHA.sub.-- SU on all GC-S channels identified in the Net ID or that are active (per dynamic beam-allocation). The GC sends the NRCHA.sub.-- SU three times in three consecutive superframes as for Net Radio Service channel assignments.

The GC sets the Priority 1 code and includes the call identifier of the established call in the GC-I channel assignment message to the FES.

The requesting MET tunes to the assigned frequencies and proceeds as for MET originated Net Radio calls. If the Net ID selected for Priority One default

operations is in use and the Speaker ID is not vacant, the MET transmitting on the MET-C channel detects that the Speaker ID no longer matches its DN and ceases transmitting in accordance with MET call monitoring procedures.

The MET proceeds with call establishment, call monitoring, call supervision and call release as for MET originated Net Radio service.

Please note that in Sigler et al., if the Net ID selected for Priority One default operations is in use and the Speaker ID is not vacant, the MET transmitting on the MET-C channel detects that the Speaker ID no longer matches its DN (directory number) and ceases transmitting in accordance with MET call monitoring procedures.

This is in contrast to the Applicant's claimed invention where the arbitration decision is made by "comparing respective priority levels of the first communication device and the second communication device" after the second communication device receives a floor-control request. This means that there is a relative comparison between the priority levels of the first and second communication devices to determine floor control and not Sigler et al.'s contention mechanism for determining that the speaker ID is not the vacant code, but is equal to the MET's DN and then sending a PITT\_SU request with the Priority One Code appended (col. 25, lines 52-55).

In col. 26, lines 25-30, the requesting MET tunes to the assigned frequencies and proceeds as for MET originated Net Radio calls. If the Net ID selected for Priority one default operations is in use and the Speaker ID is not vacant, the MET transmitting on the MET-C channel detects that the Speaker ID no longer matches its DN and ceases transmitting in accordance with call monitoring procedures.

Again, it is respectfully submitted that Sigler et al. fails to disclose "comparing respective priority levels of the first communication device and the second communication device" after the second communication device receives a floor-control request.

For at least the reasons discussed above, it is respectfully requested that the rejection be withdrawn and that claim 1 be allowed.

Claims 2-6 are dependent claims that depend upon independent claim 1 and should be allowed for at least the same reasons presented above regarding independent claim 1 as well as the additionally recited features found in claims 2-6.

Claim 7 broadly recites a method for arbitrating between a first communication device and a second communication device competing for floor control in a group communication network. A first floor-control request is received from the first communication device and the first communication device is placed in a wake-up state. A second floor-control request is received from the second communication device. Again, as recited in claim 1, the respective priority levels of the first communication device and the second communication device are compared. Then, the second communication device is placed in a wake-up state if the second communication device has a higher or equal priority level.

Again, this is in contrast to the Applicant's claimed invention where the arbitration decision is made by "comparing respective priority levels of the first communication device and the second communication device."

For at least the reasons discussed above, it is respectfully requested that the rejection be withdrawn and that claim 7 be allowed.

Claims 8-12 are dependent claims that depend upon independent claim 7 and should be allowed for at least the same reasons presented above regarding independent claim 7 as well as the additionally recited features found in claims 8-12.

Independent claims 13-18 recite related features to those recited in independent claims 1 and 7 and should be allowable for at least the same reasons presented above for those independent claims as well as the additionally recited features.

New claims 19-23 recite related subject matter to that of claims 1-18 and should be allowable for at least the same reasons presented above regarding the pending claims.

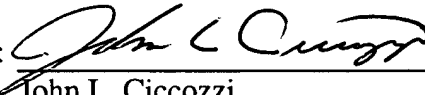
**CONCLUSION**

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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